



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೧೧, ಜನವರಿ, ೨೦೨೪ (ಪುಷ್ಯ, ೨೧, ಶಕವರ್ಷ, ೧೯೪೫) BENGALURU, THURSDAY, 11, JANUARY, 2024 (PUSHYA, 21, SHAKAVARSHA, 1945)	ನಂ. ೨೧ No. 21
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GOVERNMENT OF KARNATAKA

No. FEE 103 FWL 2023

Karnataka Government Secretariat,
M.S. Building,
Bangalore, Dated: 10-01-2024.

NOTIFICATION

Whereas the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972), was enacted with the objective of providing protection to the wildlife and wild animals of the country. Prior to its enactment, hunting of wild animals and birds was either outside any control of the State or was regulated as provided for in various enactments.

And whereas, at the time of enactment of the said Act, it was not uncommon to expect that at least some of the people of the State would have had wild animal articles and trophies with them. As required under sub-section (1) of section 40 of the Wild Life (Protection) Act, 1972, every person within thirty days from the date of commencement of the said Act, shall declare to the Chief Wild Life Warden or Authorized Officer about having wild animal article and trophy to declare to the State and get ownership certificate.

And whereas, sub-rule (1) of rule 34 of the Wild Life (Protection) (Karnataka) Rules, 1973 provides for declaration by any person who has in his control, custody or possession, any animal article or trophy (other than the musk of a musk deer or the horn of a rhinoceros or salted or dried skins derived from an animal specified in schedule-I or Part-II of Schedule-II of the said rules, shall within thirty days from the commencement of these rules, make a declaration in Form 11 to the Chief Wild

Life Warden or an Officer authorised by him in this behalf, to get ownership certificate.

Whereas, in exercise of the powers conferred by section 40-A, read with section 63 of the said Act, once again in the Declaration of Wild Life Stock Rules, 2003, it is provided to make an application to the Chief Wild Life Warden or the officer authorized by the State Government in this regard within one hundred and eighty days from the date of publication of the said rules.

And whereas, it seems that still some people may not have declared some or all wild animal article and trophy that they may be possessing because of lack of awareness of the laws, or the apparently small size of the article or trophy or the custom of having the said article or trophy in the family, erroneous belief of the properties and benefits that possession of such article or trophy etc.,. In the State of Karnataka, there have been several cases which have come to the notice where people from different category of society have been noticed possessing animal article such as tiger and leopard claws, elephant tail hairs, etc., and cases have been booked against them. Moreover, the Wild Life (Protection) Act, 1972 has been amended vide the Wild Life (Protection) Amendment Act, 2022, in December 2022 and came into force from 1st day of April 2023. The schedules have been modified extensively and various species which were not in the erstwhile schedule I, have now been inserted in the Schedule I.

It is therefore considered necessary to provide one opportunity to these people who missed out on declarations in the previously provided windows, to surrender the said wild life article to the State, which is the property of the State Government.

Now therefore, in exercise of the powers conferred by clause (f) and (h) of sub-section (2) of section 64 of the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972), the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and Commencement.- (1) These rules may be called the Wild Life (Protection and Surrender of undeclared Wild Life or Animal article, trophy and uncured trophy) (Karnataka) Rules, 2024.

(2) They shall come into force from the date of their publication in the Official Gazette.

(3) These rules shall not be applicable to any Wild Life or Animal article, trophy and uncured trophy which has a certificate of ownership issued under the Wild Life (Protection) Act, 1972.

2. Definitions.- (1) in these rules, unless the context otherwise requires,-

- (a) "Act" means the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972); and
- (b) "Form" means a Form appended to these rules.

(2) Words and expressions used herein and not defined shall have the same meaning, respectively, assigned to them in the Wild Life (Protection) Act, 1972 (Central Act 53 of 1972).

3. Surrender of undeclared Wild Life or Animal article, trophy and uncured trophy.- (1) From the date of commencement of these rules, within a period of ninety days, any person who has in his/their possession of Wild Life or Animal article, trophy and uncured trophy which does not have a certificate of ownership, may physically handover and surrender such item to the jurisdictional Deputy Conservator of Forests (Territorial or Wild Life), Assistant Conservator of Forests (Territorial or Wild Life), Range Forest Officer (Territorial or Wild Life) or the Head of the Police Station, along with an affidavit in Form-1.

(2) In case the Wild Life or Animal article, trophy and uncured trophy which does not have a certificate of ownership belong to a Club, Society, Company, Institution etc., the surrender shall be made by any Member or Director or Authorized signatory representing the said body.

4. No compensation for surrender.- There shall be no compensation payable for surrender of any Wild Life or Animal article, trophy and uncured trophy, whatsoever, and, once surrendered, he shall neither be entitled to take back any of the article so surrendered nor the ownership certificate under the provisions of Wild Life (Protection) Act, 1972, or the rules made there under.

5. Information on surrender.- The Authority to whom the surrender has been made, shall inform to the Chief Wild Life Warden of all surrenders received by him/them within seven days of the last day of the end of the period within which all surrenders have to be done under rule 3.

6. Inquiry.- (1) After the receipt of the articles surrendered under the provisions of these rules, the authority who has received the surrendered article

may make an inquiry to verify and confirm that the article surrendered are not sourced from hunting of any Wild Animal after commencement of the Wild Life (Protection) Act, 1972.

(2) In case it is found during the said inquiry, that any, some or all of the surrendered article are indeed sourced from hunting of wild Animal after commencement of the Wild Life (Protection) Act, 1972, the person who surrendered the article shall be proceeded against under the Wild Life (Protection) Act, 1972, and other Acts and rules made there under that may be applicable to the case, including that of swearing of a false affidavit.

(3) All inquiries shall be completed by or before ninety days from the date on which the Wild Life or Animal article, trophy and uncured trophy has been surrendered to the concerned officers receiving the said article.

(4) In case the inquiry is not conclusive within the said period, the person making the surrender of undeclared Wild Life or Animal article, trophy and uncured trophy, may be given benefit of doubt, but with the caveat that he/they can be proceeded against in case any evidence is found at a later date.

7. Surrendered articles to be the Government property.- All those surrendered article where he/they have been proven clean or are afforded benefit of doubt, the Wild animal article, trophy and uncured trophy surrendered as above shall be the absolute property of the Government of Karnataka and shall be disposed of, under the provisions of the Disposal of Wild Animal Articles Rules, 2023. Besides, in those cases where the inquiries result in proceedings against the person surrendering the Wild Animal article, the surrendered article or trophy or uncured trophy may be disposed off as per the directions of the jurisdictional Courts.

FORM 1

(See rule 3)

(To be executed on Stamp paper and notarized)

Application No.....

(To be filled by the Officer receiving the Articles)

To,

(Complete Designation and address of Authority to whom the surrender is being made.)

Sir/Madam,

I **(Name and parentage of person making the surrender)** residing at **(full address of surrender making person)** having the contacts **Mobile No:.....Landline Phone No.Email**

..... am surrendering the following Wildlife /Animal article, uncured and/or cured trophies that I have with me in my personal capacity /on behalf of the entity (To be filled up only if surrender is on behalf of an entity other than individual) namely:-

Sl. No.	As complete as possible detail of the article or trophy	Species of the animal from which has come	Dimensions /Quantity of the article /trophy			Any unique mark on it
			Length (Max)	Width (Max)	Weight	
1	2	3	4	5	6	7

I State under oath that:

1. This is a voluntary surrender for which I will not claim any compensation and also shall not seek return of it at any point in future.
2. The above articles /trophies surrendered are not the produce of any wild animal illegally hunted, which would be an offence under the Wildlife (Protection) Act, 1972.
3. That, if after inquiry, in which I offer to cooperate fully, it is found that any/some or all the surrendered article are sourced through illegal hunting of Wild animal that would have been an offence under the Wildlife (Protection) Act, 1972, the State is at full liberty to proceed against me under the said Act and other laws that may be applicable, including swearing a false affidavit.

Date:

Place:

(Name and Signature of Surrenderer)

BY ORDER AND IN THE NAME OF THE

GOVERNOR OF KARNATAKA,

(G. MANJULA)

UNDER SECRETARY TO GOVERNMENT,

FOREST, ECOLOGY AND ENVIRONMENT DEPARTMENT

(FOREST-A)